

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SHONECA DAVIS, DAWUD EUDELLE, JACLYN  
PAGNOTTA, and DAVID POMALES, individually  
and on behalf of all others similarly situated, and

08 Civ 01859

KENNETH FINGERMAN,

ECF CASE

Plaintiffs,

CLASS ACTION

- against -

SUPPLEMENTAL  
AFFIRMATION OF  
JACLYN PAGNOTTA

ABERCROMBIE & FITCH CO., ABERCROMBIE &  
FITCH STORES, INC., ABERCROMBIE & FITCH  
TRADING CO., d/b/a Abercrombie and Fitch,  
Abercrombie, and Hollister and Ruehl,

Defendants.

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JACLYN PAGNOTTA, under penalty of perjury, affirms and states as follows:

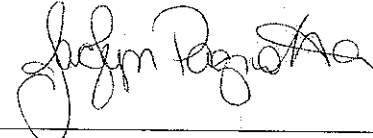
1. I am a plaintiff in the above-captioned case and I submit this affirmation in further support of Class Plaintiffs' Motion for Preliminary Certification Pursuant to the Fair Labor Standards Act, for Court-Facilitated Notice to Similarly Situated Persons, and for Expedited Discovery, and in opposition to Defendants' Motion for Partial Dismissal of Plaintiffs' Complaint Pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure.

2. During the time that I worked at defendants' South Street Seaport store, it operated 24 hours per day, although it was not open to the public for business during all of those hours.

3. I was on occasion assigned to work at other stores in New York State, including stores on Long Island, Staten Island, and New Jersey, when those stores needed additional loss prevention personnel, for example for an inventory. I usually assisted and worked with the loss prevention personnel assigned to those stores on these assignments.

4. I did not participate in a "blitz" during the time I worked for defendants.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 29, 2008 in New York, New York.

A handwritten signature in cursive script, appearing to read "JacLyn Pagnotta", written over a horizontal line.

JacLyn Pagnotta